

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RENE LUNA,

Plaintiff,

v.

OFFICER LOLL; and OFFICER GOMEZ,

Defendants.

Case No. 1:21-cv-01291-AWI-BAM

ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS

(Doc. 15)

ORDER DIRECTING PAYMENT OF
INMATE FILING FEE BY CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION

Plaintiff Rene Luna ("Plaintiff") is a state prisoner proceeding *pro se* in the instant action against the Kings County Sheriff Department and Officers Loll and Gomez of the Kings County Sheriff's Department. (Doc. 13.) Currently before the Court are Plaintiff's motions to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (Docs. 2, 5.)

Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account. The Kings County Jail is required to send to the Clerk of the Court payments from Plaintiff's trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis is GRANTED;

2. **The Sheriff of Kings County Jail or his/her designee shall collect payments from Plaintiff's trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action;**

3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's in forma pauperis application on the Sheriff of Kings County Jail via the Court's electronic case filing system (CM/ECF);

4. The Clerk of the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California; and

5. Plaintiff's first amended complaint will be screened in due course pursuant to 28 U.S.C. §§ 1915A and 1915(e)(2).

IT IS SO ORDERED.

Dated: January 7, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE